

Remarks:

Applicants respectfully request that this amendment be entered, and that their subject U.S. Patent Application be passed to issuance in view thereof.

In the Office Action, claim 45 as been amended to adopt the Examiner's suggestions, and claim 20 has been amended to address the 112 rejections of record. Accordingly, Applicants respectfully submit that the objections and rejections appearing on the second page of the Office Action have been traversed.

In the Office Action, the pending claims stand rejected on 102 and 103 grounds, based on the Lin patent (USP 6,124,177, hereafter "Lin"). In response, Applicants respectfully submit that the Lin patent neither teaches nor suggests the invention as recited in the claims as presented herein. In pertinent part, note first that in the Lin reference the single diffusion region 24, 25 is just that - a single diffusion region. Applicants base the observation on the formation step shown in Fig. 6 (note that a single diffusion step is depicted for formation of the region 24, 25) and the description in Col. 5, lines 28-48). Note second that because this single implant step is carried out through the gate 22 BEFORE formation of the upper gate portion 32 which the Examiner interprets as the "second conductive material" as recited in claim 20, the resulting lateral spacing between the area 25 and the area 24 is NOT similar to the difference in width between the lower gate portion 22 and the upper gate portion 32 of the gate shown in Lin. Applicants base this observation on (a) the distance between the innermost edge of area 25 and the innermost edge of area 24, versus the distance between the outside edge of gate portion 32 and outside edge of gate portion 22, as depicted in Fig. 8, (b) the nature of the implantation step as described in and shown in Fig. 6 and Col. 5, lines 28-48 - note that the sloping shape of the lower gate 22, plus the absence of upper gate 32 during the implant step, means that the width of the upper gate 32 does not play a role in defining the distance between the innermost edges of areas 24 and 25. Claim 20 has been amended to more clearly recited the correlation in the invention between the width

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differences between the upper and lower portions of the T gate and the differences in lateral diffusion penetration of the first and second diffusions; claim 44 has been cancelled, and claim 46 has been rewritten in independent form to include a clearer recitation of this aspect of the invention. This aspect of the invention is discussed at page 8, line 5 - page 9, line 1 of the subject specification. Since this feature of the invention is neither taught nor suggested by Lin, alone or in combination with the other references of record, Applicants respectfully submit that the prior art rejections of record to claims 20 and 46 (as well as the other pending claims depending thereon) have been traversed.

Accordingly, Applicants respectfully request entry of the present Amendment and passage of their subject application to issuance in view thereof. Should the Examiner have any comments, questions, or suggestions, please do not hesitate to contact the undersigned attorney at the telephone number and/or email address set forth below.

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Respectfully submitted,

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